



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

ju

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,668	09/20/2000	Larry B. Gray	JJI-49	5527
7590 08/27/2004				
Audley A. Ciamporcero, Jr., Esq. Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003			EXAMINER BUI, VY Q	
			ART UNIT 3731	PAPER NUMBER

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

08202004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply brief filed 5/10/2004 has been entered and considered. The response to the "Reply Brief" is as follows:

1. After final rejection, amended claim 22 was not entered because said amended claim 22 does not appear to be allowable at least over the reference of record, SIMON-5,354,30, as indicated in "Remarks" section on page 7 of "Examiner's Answer" (paper 03/09/2004). Entering the amended claim 22 will cause further reconsideration of the claim and un-necessarily prolong the prosecution of this application.
2. SIMON-5,354,308's Fig. 9A shows a stent in a transition phase from an unexpanded configuration (when the stent is contained in a deployment catheter C) to an expanded configuration (when the stent expands outside the catheter C). At a position adjacent to the distal end of catheter C, Fig. 9A clearly indicates the stent in an unexpanded configuration having longitudinal wave-shaped struts.
3. The "Terminal Disclaimer" will be entered when the claims are in a condition for allowance.

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Vy Q. Bui
Primary Examiner
Art Unit: 3731